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# ***Public Utilities Commission of the State of California***

## ***Results of Public Agenda 3103a***

***Meeting Held on Monday, December 17, 2002 10:00 a.m.***

***San Francisco, California***

### **Commissioners**

**Loretta M. Lynch, President**

**Geoffrey F. Brown**

**Henry M. Duque**

**Michael R. Peevey**

**Carl W. Wood**

*Website: <http://www.cpuc.ca.gov>*

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### **Scheduled Commission Meetings**

**505 Van Ness Avenue, San Francisco**

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| <i>Ratesetting Deliberative Meeting*</i><br>Room 5305<br>(1:30 p.m.)<br><b><i>Closed to the Public</i></b> | <i>Commission Meeting</i><br>Auditorium<br>(10 a.m.)<br><b><i>Open to the Public</i></b> |
| Monday, January 13, 2003 (San Francisco)   | Tuesday, January 07, 2003 (San Francisco at 1:30 p.m. (Closed Session Only))             |
| Monday, January 27, 2003 (San Francisco)   | Thursday, January 16, 2003 (San Francisco)   |
|  | Thursday, January 30, 2003 (San Francisco)   |
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*\*Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

For further information contact the Public Advisor  
(415) 703-2074 E-mail: [public.advisor@cpuc.ca.gov](mailto:public.advisor@cpuc.ca.gov)



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

## PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda; these are HEX and EX items.
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Public Comment:

## Regular Agenda

### Utility and Transportation Orders

#### Orders

**15                    R01-10-024 - Order Instituting Rulemaking to Establish Policies and Cost Recovery**  
**1571                Mechanisms for Generation Procurement and Renewable Resource Development.**

In this decision, the Commission grants, with modifications, the emergency motion filed by San Diego Gas & Electric Company (SDG&E) on December 23, 2002. SDG&E seeks suspension of Standard of Conduct #7, as adopted in D.02-10-062 and clarified in D.02-12-074. The Commission grants a narrow exemption to Standard of Conduct #7 for those procurement contracts entered into to satisfy the requirements of the first quarter 2003, January 1 - March 31, 2003, inclusive. This exemption also applies to Pacific Gas and Electric Company and Southern California Edison Company. This matter is added to the agenda pursuant to Government Code § 11125.3(a)(2).

(Comr Lynch - ALJ Minkin)

**Outcome   Signed (Voted 5-0 to add to agenda pursuant to Govt. Code 1125.3(a)(2).  
Signed at carry over meeting on Dec. 30, 2002.)**

[D02-12-080](#)

Yes: (Brown, Duque, Lynch, Peevey, Wood)

No: (none)

Abstain: (none)

Absent: (none)

## Closed Session

*This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the*

### Non-Federal Items

#### Orders

**EX-11**            **A00-11-038 - Conference with Legal Counsel – Application for Rehearing.**  
**1551**            A00-11-056, A00-10-028 - Related matters. Disposition of Application for Rehearing of D02-11-074 filed by The California Manufacturers and Technology Association, The California Industrial Users and The California Large Energy Consumers Association. D02-11-074 modified D02-10-063 by exempting residential sales up to 130% of baseline in all three service territories. D02-10-063 adopted a methodology for setting charges to recover bond-related costs incurred by the Department of Water Resources.

**Outcome**   **Withdrawn (Withdrawn at carry over meeting on Dec. 30, 2002.)**

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

**Sub-Item 1**    **Sub-item to 1551**  
**1555**

(Comr Brown)

**Outcome**   **Signed as Modified (Modified pg 2. Signed at carry over meeting on Dec. 30, 2002.)**

D02-12-082

Yes: (Brown, Duque, Peevey)

No: (Lynch, Wood)

Abstain: (none)

Absent: (none)